HIGH COURT OF CHHATTISGARH, BILASPUR

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Misc. Appeal (C) No. 734of 2007

Appellants Claimants

: 1. Smt. Savita Sahu, Wd/o Late Sewak Ram Sahu, Aged about 32 years.

: 2. Ku. Dolly Sahu, D/o Late Sewak Ram Sahu, aged about 9 years.

: 3. Ku. Tanuja Sahu, D/o Late Sewak Ram Sahu, Aged about 7 years.

: 4. Smt. Ramotin Bai Sahu, W/o Amrit Lal Sahu, Aged about 70 years.

: 5. Amrit Lal Sahu, S/o Devi Singh Sahu, Aged about 72 years.

Minor Appellant No.2 & 3 represented by their Natural Guardian and mother Smt. Savita Sahu, Appellant No.1.

All R/o Housing Colony, Raipur, Behind Tower Line, Police Quarter No. C/14, Police Line Thana, District Raipur, (C.G.)

VERSUS

Respondents

: 1. Prem Vishwakarma, S/o Moolchand Vishwakarma (Driver), Aged about 38 years, R/o Shyam Nagar, Raipur C.G. (Driver of the Vehicle Sumo bearing Regd. No. – C.G. 19 – D – 0143)

: 2. Veerbhuwan Gadpale, S/o Sukhdev Gadpale, R/o Shriram Nagar, Kanker, District Kanker, C.G. (Owner of the Vehicle Sumo bearing Regd. No. C.G. – 19 – D – 0143)

: 3. The New India Insurance Company Ltd., Through – Divisional Manager,
The New India Insurance Company Ltd., Division Office No. 1, Jail Raod, Raipur, District Raipur C.G.
(Insurer of the Vehicle Sumo bearing Regd. No. C.G. – 19 – D – 0143)

: 4. Krishna Kumar Verma, S/o Chain Singh Verma (Driver) R/o Gaya Nagar, Durg, District Durg (C.G.)
(Driver of the Truck bearing Regd. No. C.G. 04 – ZC 2133)

: 5. Amit Kumar Mandhani, S/o B.R. Mandhani, R/o Bhatapara, Raipur, District-Raipur (C.G.)
(Owner of Truck bearing Regd. No. C.G. 04 – ZC 2133)

: 6. The Oriental Insurance Company Ltd., through Divisional Manager, The Oriental Insurance Company Ltd., Jail Road, Raipur, District Raipur (C.G.)
(Insurer of Truck bearing Regd. No. C.G. 04 – ZC 2133)

Appeal under section 173 of Motor Vehicle Act, 1988

Present:
Shri Vimalesh Bajpai, counsel for the appellants/Claimants.
No one appears for respondents No.1 & 2.
Shri Saurabh Sharma, counsel for respondent No.3
No one appears for respondents No.4 & 5.
Shri Sudhir Agrawal, counsel for respondent No.6

ORALORDER
(Passed on 11.12.2007)

Shri Saurabh Sharma, counsel for respondent No.3/The New India Insurance Company Ltd. submits that he would not press on the cross-objection/appeal under Order 41 Rule 22 of C.P.C. filed by the insurance company.

Accordingly, cross-objection/appeal is dismissed as not pressed.

Consequent to the dismissal of the cross-objection/appeal, Shri Vimalesh Bajpai, counsel for the appellants/claimants submit that he would also not press on this appeal.

In view of the above, this Misc.Appeal stands dismissed as not pressed.

Sd/-
Dilip Raosaheb Deshmukh
Judge